IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 901(S/S)2007

Ganga Prasad Dobhal S/o Sri Bhagwati Prasad,
R/o R-11, Baraje Displaced Colony,
Near Sadhana Gram, P.O. Pashulok,
District Dehradun. ---- Petitioner.

Vs.

1. State of Uttarakhand through its Secretary,
   School Education, Dehradun,
2. Director, School Education, State of Uttarakhand,
   Tehri Garhwal,
3. District Education Officer, Tehri Garhwal,
4. Addl. District Education Officer, (Basic),
   Tehri Garhwal. ---- Respondents.

Sri I.P. Gairola, learned counsel for the petitioner.
Sri Paresh Tripathi, learned Brief Holder for respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri I.P. Gairola, learned counsel for the petitioner and Sri Paresh Tripathi, learned Standing Counsel for the State of Uttarakhand/respondents.

By means of this writ petition, the petitioner has challenged the impugned transfer order dated 14.06.2007 (annexure no.2, so far as it relates to the petitioner) passed by respondent no. 4 by which the petitioner has been transferred from Junior High School, Daur, Narendra Nagar to Junior High School, Danada.

On 17.07.2007, learned Standing Counsel was granted a weeks' time to seek instructions. Today, the State Counsel has informed the Court that he has yet not received any instructions in this regard.

The impugned order has been assailed on the ground that the petitioner has already served 15 years in Ati Durgam/ Durgam Areas; the petitioner has joined the present School only on 6th March 2006; some Teachers having more stay in the Institution should have been transferred instead of petitioner.

Learned counsel for the petitioner has submitted that as per the report of News Papers the State Government is in dilemma as to which of the place/region of the State is to be classified as Durgam, Ati Durgam and Sugam place.

In these circumstances, the petitioner may make representation, raising all his grievances, before respondent no.4 i.e. the Addl. District Education Officer (Basic), Tehri Garhwal within a period of 10 days from today. In case, the petitioner complies with the orders of this Court, the respondent no. 4 shall take decision and pass speaking order on the representation of the petitioner within a period of two weeks from the date of receipt of representation alongwith a certified copy of this order.

Till the representation is decided by respondent no.4 or till 31st August, 2007 whichever is earlier, the petitioner shall not be relieved from his present place of posting.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

July 25, 2007:
NCM: